

ADAM PAUL LAXALT  
 Attorney General  
 MICHAEL J. BONGARD  
 Nevada Bar No. 007997  
 Deputy Attorney General  
 Criminal Justice Division  
 1539 Avenue F, Suite 2  
 Ely, Nevada 89301  
 Telephone: (775) 289-1630  
 mbongard@ag.nv.gov  
 Attorney for Respondent

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA**

JESUS RENE GONZALEZ,

Petitioner,

vs.

D.W. NEVEN, *et al.*

Respondents.

Case No. 2:14-cv-471-GMN-VCF

**MOTION FOR ENLARGEMENT OF  
 TIME (SECOND REQUEST)**

**AND ORDER**

Respondents, by and through counsel, ADAM PAUL LAXALT, Attorney General of The State of Nevada, and MICHAEL J. BONGARD, Deputy Attorney General, hereby move this honorable Court for a thirty (30) day enlargement of time, up to and including March 30, 2015, in which to file an answer to Petitioner's First Amended Petition for Writ of Habeas Corpus. This response is currently due on February 28, 2015.

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1 This motion is made and based upon the provisions of Rule 6(b) of the Federal Rules of Civil  
2 Procedure and the attached affidavit of counsel. This is Respondent's second request for an extension  
3 of time in which to file an answer and is made in good faith and not for purposes of delay.

4 RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of February 2015.

5 ADAM PAUL LAXALT  
6 Attorney General

7 By: /s/ Michael J. Bongard  
8 MICHAEL J. BONGARD  
9 Nevada Bar No. 007997  
10 [mbongard@ag.nv.gov](mailto:mbongard@ag.nv.gov)  
11 Deputy Attorney General  
12 Criminal Justice Division  
13 1539 Ave F  
14 Ely, Nevada 89301  
15 (775) 289-1630

16 **IT IS SO ORDERED, nunc pro tunc.**

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19 Gloria M. Navarro, Chief Judge  
20 United States District Court

21 **DATED: 04/21/2015**

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FOR THE DISTRICT OF NEVADA**

JESUS RENE GONZALEZ,

Petitioner,

vs.

D.W. NEVEN, *et al.*

Respondents.

Case No. 2:14-cv-471-GMN-VCF

**AFFIDAVIT OF COUNSEL**

STATE OF NEVADA )

: ss.

WHITE PINE COUNTY )

I, MICHAEL BONGARD, being first duly sworn according to law, hereby state that the assertions of this affidavit are true:

1. I am a Deputy Attorney General employed by the Attorney General's Office of the State of Nevada in the Criminal Justice Division, and I make this affidavit on behalf of Respondents' Motion for Enlargement of Time (Second Request) in the above captioned case. By this motion, I am requesting a thirty (30) day enlargement of time, to and including March 30, 2015, to file and serve Respondent's Answer to First Amended Petition for Writ of Habeas Corpus.

2. Your Affiant has unexpectedly been called out of state on personal business and will be out of the office the week of February 16, 2015. When Respondent returns to the office an answer to First Amended Petition will be due in USDC in *Brown v. McDaniel*, Case No. 3:09-cv-557-LRH-VPC, answer to Petition due in USDC in *Hendrix v. State of Nevada, et al.*, Case No. 3:14-cv-576-MMD-VPC and a response to remaining grounds in State Habeas Corpus in 7th Judicial District Court, *Andre Breland v. Renee Baker, Warden, ESP*, Case No. HC-1407008, all due before the end of March. Respondent will also be preparing for a preliminary hearing in an Ely Justice Court case *State v. Jacob Tilp*, Case No. 14-00114, set for March 12, 2015. Respondent is also scheduled to teach P.O.S.T. Academy classes at Ely State Prison on March 9th, 12th and 16th, 2015.

3. Petitioner's counsel at the Federal Public Defender's Office was contacted on February 11, 2015, and has expressed no objection to the motion.

4. The additional thirty days are needed to review the exhibits to properly respond to the petition in order for the court to make a fully informed determination of the allegations made by petitioner.

This motion is made in good faith and not for purposes of undue delay.

DATED this 25<sup>th</sup> day of February 2015.

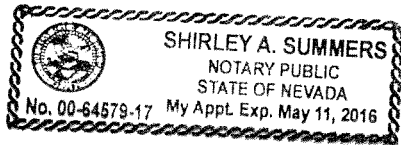
  
MICHAEL J. BONGARD

SIGNED AND SWORN to before me

this 25<sup>th</sup> day of February 2015,

by MICHAEL J. BONGARD.

  
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 26<sup>th</sup> day of February 2015, I served a copy of the foregoing Motion for Enlargement of Time (Second Request) by U. S. District Court CM/ECF Electronic Filing, to:

Megan Hoffman  
Asst Federal Public Defender  
411 E. Bonneville Ave  
Suite 250  
Las Vegas, Nevada 89101

/s/Shirley Summers

An Employee of the Office of the Attorney General